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7 Defendant Marlene G. Weinstein,
Chapter 7 Trustee

The following constitutes the order of the Court.
Signed: February 28, 2019


Roger L. Efremsky
U.S. Bankruptcy Judge

8 UNITED STATES BANKRUPTCY COURT

9 NORTHERN DISTRICT OF CALIFORNIA

10 OAKLAND DIVISION

11 In re
12 INDEPENDENT ADOPTION CENTER,
13 Debtor.

Case No. 17-40327 RLE
Chapter 7
Hon. Roger L. Efremsky

14 MARLENE G. WEINSTEIN, Trustee,
15 Plaintiff,
16 v.

Adversary Proceeding No. 17-04020 RLE

17 GREGORY S. KUHL, SUSAN SPARLING,
18 ALEX KAPLAN, NANCY WORRELL,
19 DAN WARD, WILLIAM KINNANE,
CHRISTINE ZWERLING, MARCIA
20 HODGES,

**ORDER APPROVING STIPULATION
TO WITHDRAW MOTION TO DISMISS
AND TAKE MARCH 7, 2019 HEARING
DATE OFF CALENDAR**

21 Defendants.

22 AND RELATED COUNTERCLAIM

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25 Based on the STIPULATION TO WITHDRAW MOTION TO DISMISS AND TAKE
26 MARCH 7, 2019 HEARING OFF CALENDAR entered into by and between Plaintiff Marlene G.
27 Weinstein, Chapter 7 Trustee of the estate of the above Debtor ("Trustee"), by and through her
28 counsel of record, and Defendants Gregory S. Kuhl, Susan Sparling, Alex Kaplan, Nancy Worrell,

1 Dan Ward, William Kinnane, and Christine Zwerling (collectively “Director Defendants”), by and
2 through their counsel of record, electronically filed on February 28, 2019 as Docket Entry No. 129,
3 and good cause appearing therefore,

4 IT IS HEREBY ORDERED:

5 1. The hearing of the Director Defendants’ motion to dismiss, motion for a more
6 definite statement, and motion to strike (collectively “the Motion to Dismiss”), now set for March
7 7, 2019 at 11:00 a.m., is taken off calendar.

8 2. The Motion to Dismiss filed by defendants Susan Sparling, Alex Kaplan, Nancy
9 Worrell, Dan Ward, William Kinnane, and Christine Zwerling (collectively “Settling Director
10 Defendants”) is withdrawn, and that withdrawal shall be with prejudice once the Trustee has filed
11 a dismissal of her claims against the Settling Director Defendants.

12 3. The Motion to Dismiss filed by defendant Gregory S. Kuhl is withdrawn, but
13 without prejudice.

14 4. Defendant Gregory S. Kuhl shall file a responsive pleading to the Trustee’s First
15 Amended Complaint within 30 days after the Trustee’s dismissal of the Settling Director
16 Defendants or by May 15, 2019, whichever date is later in time.

17 ***** END OF ORDER*****
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1 ***** COURT SERVICE LIST *****

2 No Court Service Required.

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